

## **South Carolina State Department of Education**

**March 12-16, 2007**

**Scope of Review:** A team from the Office of English Language Acquisition (OELA), U.S. Department of Education (ED) conducted an on-site review of the South Carolina Department of Education (SCDOE) March 12-16, 2007. This was a comprehensive review of the SCDOE's administration of the following program authorized by the No Child Left Behind (NCLB) Act: Title III, Part A.

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team analyzed evidence of implementation of the State Title III accountability system, and reviewed compliance with Title III and other Federal fiscal and administrative requirements. During the on-site review, the ED team visited Greenville County School District, Lexington County School District One, and Georgetown County School District. During the visits, the ED team interviewed administrative and instructional staff.

### **South Carolina Department of Education Participants:**

Janice Poda, Deputy State Superintendent for Administration  
Nancy Busbee, Director, Office of Federal Programs  
Catherine Neff, Title III/ESOL Consultant, Office of Federal Programs  
Helena Tillar, Director, Office of Curriculum and Standards  
John Cooley, Deputy, Office of Finance  
Teri Siskind, Director, Office of Assessment  
Len Richardson, Director, Office of Finance  
Susan Flanagan, Project Account Manager, Office of Finance  
Chris Webster, Education Associate, Office of Assessment  
Patrick Smith, Education Associate, Office of Federal Programs  
Sameano Porchea, Statistical Research Analyst, Office of Assessment

### **Greenville County School District Participants:**

Kathy Howard, Associate Superintendent  
Eve Diaz, Title III Coordinator  
Catherine Dillon, ESOL Lead Teacher  
Danyel McLean, Budget Analyst

### **Lexington County School District One Participants:**

Libby Carnohan, Title III Coordinator  
Laurie Petrano, Lead ESOL Teacher  
Alla Polatty, Elementary ESOL Teacher  
Lyuda Hutcheson, Secondary ESOL Teacher  
Patricia James, District Grant Writer  
Jiles Bishop, Office of Accountability

**Georgetown County School District Participants:**

Randall Dozier, Superintendent  
Celeste Pringle, Assistant Superintendent, Curriculum and Instruction  
Sandra Baker, ESOL Coordinator  
Gracie Priest, Accounting Supervisor  
David Almonte, Data Program Analyst

**U.S. Department of Education, OELA Participants:**

Harpreet Sandhu, Director, State Grant Division  
Petraine Johnson, Education Program Specialist  
Ruben Vazquez, Education Program Specialist  
Ethan Raymond Allen, Senior Budget Analyst

**Previous Audit Findings:** None

**Previous Monitoring Findings:** None. This was the first Title III monitoring visit.

## Summary of Title III, Part A Monitoring Indicators

State Submissions			
Element Number	Description	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews	Reviewed	7
Fiduciary			
Element 2.1	Reservation of Funds: The SEA has a system in place that enables it to account for: (1) Funds reserved for State administration (2) Funds reserved to provide technical assistance and other State level activities (3) Funds reserved for immigrant activities, and (4) Funds that become available for reallocation	Reviewed	7
Element 2.2	Allocations, Reallocations, and Carryover: The SEA complies with— <ul style="list-style-type: none"> <li>• The procedures for Title III allocations outlined in Section 3114</li> <li>• The procedures for allocating funds for immigrant children and youth programs as outlined in Section 3114(d)</li> <li>• The reallocation provisions in Section 3114(c)</li> </ul>	Reviewed	7
Element 2.3	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase Federal, State, and local funds used for the education of participating children and not to supplant those funds	Reviewed	7
Element 2.4	Equipment and Real Property: The SEA ensures that equipment is procured at a reasonable cost and is necessary for the performance of the Federal award. Title III funds cannot be used to acquire real property	Reviewed Commendation	8
Element 2.5	Other Fiduciary Items: Other items reviewed under the Improper Payments Information Act of 2002 that were not specifically included in Elements 2.1, 2.2, 2.3, and 2.4	Findings: Further Actions Required  Commendation	8-9

<b>ELP Standards, Assessments and Accountability</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 3.1	English Language Proficiency (ELP) Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented	Finding: Further Action Required	10
Element 3.2	ELP Assessments: ELP assessments have been administered to all LEP students in the State in grades K-12. Accountability through data collection has been implemented	Reviewed  Commendation	10
Element 3.3	New English Language Proficiency Assessment: Transition to new ELP assessment or revision of the current State ELP assessment	Finding: Further Action Required	10
Element 3.4	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Reviewed  Recommendation	11
Element 3.5	Data Collection: The State established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and the State has a system for monitoring and improving the ongoing quality of its assessment systems. Data system is in place to meet all Title III data requirements, including capacity to follow Title III-served students for two years after exiting; State approach to following ELP progress and attainment over time, using cohort model	Reviewed  Commendation	11

<b>State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 4.1	<p>State Level Activities: Using funds reserved for State level activities, the State carries out one or more activities that may include:</p> <ul style="list-style-type: none"> <li>• Professional development</li> <li>• Planning, evaluation, administration and interagency coordination</li> <li>• Promoting parental and community participation</li> <li>• Providing recognition to subgrantees that have exceeded AMAO requirements</li> </ul>	<p>Reviewed</p> <p>Commendation</p> <p>Recommendation</p>	11-12
Element 4.2	<p>Required Subgrantee Activities: The LEA/subgrantee is responsible for increasing the English proficiency of LEP students by providing high-quality language instructional programs and high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instructional programs), principals, administrators, and other school or community-based personnel</p>	Reviewed	12
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities</p>	<p>Reviewed</p> <p>Recommendation</p>	12
Element 4.4	<p>Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth: The subgrantee receiving funds under Section 3114 (d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth</p>	Reviewed	13

<b>State Review of Local Plans</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 5.1	Application: The SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a))	Reviewed Recommendation	13
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III	Reviewed	13
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116(c))	Reviewed	13
<b>State Monitoring of Subgrantees</b>			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Reviewed Commendation	14
<b>Parental Notification</b>			
Element 7.1	Parental Notification: Provisions for identification and placement and for failure to meet the AMAOs; notification in an understandable format (Section 3302)	Reviewed	14

## **State Submissions**

### **Element 1.1- State Submissions**

Reviewed: The South Carolina Department of Education (SCDOE) has submitted all reports required under Title III, Part A, and the Consolidated State Performance Report to the U.S. Department of Education (ED). The State reported all of the required data and information.

Citation: Section 3123, 34 CFR 80.40

## **Fiduciary**

### **Element 2.1 – Reservation of Funds**

Reviewed: The SCDOE has established procedures to track and account for Title III funds reserved for planning, administrative costs, technical assistance, and awards under Section 3114.

Recommendation: The SCDOE did not expend all of the Title III funds reserved for administrative costs and other State activities. The State reserved \$175,000 for administrative costs, but redistributed a significant amount of these funds to increase the allocations to eligible entities. It is commendable that the State decided to increase the amount of funds for direct services to students. The ED team recommends, however, that the State evaluate the status of the Statewide Title III ELP accountability system to determine if these funds are needed to enhance the accountability system and build the capacity of the State and LEAs to provide high-quality language instructional programs.

Citation: Sections 3111, 3114, 3115, and 3116

### **Element 2.2 – Allocations, Reallocations, and Carryover**

Reviewed: The SCDOE provided evidence that it complies with the requirements for allocating and reallocating Title III funds.

Citation: Sections 3114 and 3115

### **Element 2.3 – Supplement not Supplant**

Reviewed: The State has a procedure in place for ensuring that subgrantees are meeting the supplement not supplant requirement.

Citation: Section 3115(g)

## **Element 2.4 – Equipment and Real Property**

Reviewed: The SCDOE and Title III subgrantees maintain accurate records of equipment and supplies purchased with Title III funds. All of the equipment purchased with Title III funds at the State and local levels was accounted for and in the designated locations specified on the listings.

Commendation: Greenville County School District (GCSD) has an outstanding inventory system. The GCSD uses the system to verify IT assets and ensure timely processing of IT receipts, transfers, and disposal of equipment.

Citation: OMB Circular A-87; EDGAR 76.533, 80.32

## **Element 2.5 - Other Fiduciary Items**

### **Use of funds**

Finding: The SCDOE Title III Consultant is paid 100% from Title III funds, but is also performing duties related to OCR Compliance. Personnel paid entirely from Title III funds must devote 100% of their time to Title III activities.

Further Action Required: The State must rectify this situation in a manner that does not have a negative impact upon implementation of the Title III program. The State may either reassign the non-Title III related duties to another staff member, or use State funds to pay for a portion of the Title III Consultant's salary. In either case, the State must ensure through strict accounting that Title III funds are used only to supplement State funds.

Citation: OMB Circular A-87 (Attachment A)

### **Disbursement of funds**

Finding - #1: Two disbursements of the seventeen transactions reviewed were processed using "Invoices for Contractual Services" that were issued by SCDOE because the contractor was unable to furnish invoices. These documents did not have valid invoice numbers or dates.

Further Action Required: The SCDOE must ensure that vendors furnish invoices that include invoice numbers, dates, signatures and explanations of the services provided.

Citation: EDGAR 80.20(a) and 80.36(a)



Finding - #2: One disbursement of the seventeen transactions reviewed at SCDOE contained adjustments to the voucher without the initials of the individual who made the adjustments. There were three different signatures on the voucher, but none of the changes were initialed.

Further Action Required: The SCDOE must ensure that adjustments made to vouchers are initialed by the individual who made the adjustments. The SCDOE must submit evidence that it has modified its procurement policy to address this issue.

Citation: EDGAR 80.36(a)

Finding - #3: Twelve disbursements of the fifty-one transactions reviewed at Greenville County School District did not have proper invoices to support the purchases. The payments for training provided by Furman University did not have proper invoice numbers, dates, or adequate descriptions of services provided to support the payments.

Further Action Required: The SCDOE must issue guidance to Title III subgrantees to ensure that purchases are supported by adequate documentation. Invoices for expenditures related to training should include unique invoice numbers, dates, the costs of the services, and the names of participants.

Citation: EDGAR 80.36(a)

Finding - #4: Three disbursements of the fifty transactions reviewed at Lexington County School District (LCSD) contained adjustments in the amounts without an initial by the person who made the changes. There were two different signatures on the vouchers, but none of the changes were initialed.

Further Action Required: The SCDOE should issue guidance to ensure that Title III subgrantees follow procedures that allow for a clear audit trail of all changes made to vouchers.

Citation: EDGAR 80.36(a)

Commendation: Lexington County School District One is commended for its document storage and retrieval system. All purchasing documents are scanned into the system and cross-referenced with the purchase order, the check number, and the invoice number. This system facilitated an efficient review.

## **ELP Standards, Assessments, and Accountability**

### **Element 3.1 - ELP Standards**

Finding: The introduction to the State ESOL standards states that the standards are linked to the State's English language arts and mathematics academic standards. The SCDOE did not provide documentation, however, that explains the process it used to determine that the State ESOL standards are aligned with achievement of the State academic standards in English language arts and mathematics.

Further Action Required: The SCDOE must submit documentation that explains the process it used to determine that the State ESOL standards are aligned with achievement of the State English language arts and mathematics academic standards.

Citation: Sections 3113 and 3116

### **Element 3.2 - ELP Assessments**

Reviewed: The SCDOE ensures that all LEP students in the State are assessed for English language proficiency on an annual basis. The State has provided extensive training and guidance on the administration of the ELDA, and requires each LEA to designate an ELDA District Test Coordinator. The testing window for school year 2006-2007 is February 26 – April 20.

Commendation: The SCDOE transferred responsibility for the administration of the ELDA to the Division of Curriculum Services and Assessment, Office of Assessment, and assigned a staff member to manage the ELDA. This change demonstrates the State's commitment to identifying and assessing the English language proficiency of all LEP students.

Citation: Sections 3113 and 3116

### **Element 3.3 – New English Language Proficiency Assessment**

Finding: The SCDOE did not provide documentation that explains how it determined that the ELDA is aligned to the State ESOL standards.

Further Action Required: The SCDOE must submit documentation that explains how it determined that the ELDA is aligned to the State ESOL standards.

Citation: Section 3113

### **Element 3.4 – Annual Measurable Achievement Objectives (AMAOs)**

Reviewed: The SCDOE made AMAO determinations for all Title III subgrantees. The State made AMAO determinations on the basis of all three AMAO targets: making progress in learning English, attainment of English language proficiency, and adequate yearly progress (AYP) for the LEP subgroup.

Recommendation: Title III subgrantees did not have a high level of awareness of the AMAOs for making progress in learning English and attainment of English language proficiency. The team recommends that the State develop and disseminate additional information and guidance related to these two AMAOs.

Citation: Section 3122

### **Element 3.5 – Data Collection**

Reviewed: The State's information system, School Administrative Student Information (SASI), enables the State and LEAs to monitor and track individual student progress. The system is used effectively to collect, disaggregate and report data on LEP students' progress in learning English, attaining English language proficiency, and achieving academically.

Commendation: The State plans to use ELDA data and other achievement data to conduct longitudinal studies to identify achievement trends and promote the use of effective instructional models and practices. This is a joint effort by the Federal Programs Office and the Office of Assessment.

Citation: Sections 3113, 3121, and 3122

## **State Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth**

### **Element 4.1 – State Level Activities**

Reviewed: The SCDOE uses Title III funds to conduct a number of activities related to implementation of Title III and the education of LEP students. The SCDOE conducts professional development sessions for district personnel and coordinates with colleges and universities to assist teachers in meeting State ESOL certification requirements. Graduate coursework is provided on-site and via educational television broadcasting and Web-based learning.

Commendation: The SCDOE is commended for its use of technology to provide professional development and technical assistance to educators throughout the State. The Title III Consultant has developed and provided 25 hour-long ESOL town meetings on topics such as grading, student assessment, use of translated materials for parents, special education and ESOL, gifted and talented and ESOL, and compliance with Federal requirements. The town meetings are televised and broadcast after school hours and are viewable in every K–12 school in the State. The ED team is impressed with the quality and content of the ITV ESOL town meetings.

Recommendation: NCLB provides States the option of applying for multiple ESEA program funds to reduce the burden on States and encourage coordination and service delivery across ESEA programs. The team recommends that the SCDOE consider developing and implementing strategies to increase coordination between Title I and Title III to ensure maximum use of resources to address the needs of LEP students.

Citation: Sections 3111

#### **Element 4.2 – Required Subgrantee Activities**

Reviewed: Title III subgrantees demonstrated their understanding of both of the two required activities, and provided evidence that Title III funds are being used to carry out both professional development and language instruction educational programs.

Citation: Section 3115(c)

#### **Element 4.3 – Authorized Subgrantee Activities**

Reviewed: Title III subgrantees are conducting a number of authorized activities to improve instructional programs for LEP students. The LEAs provided evidence that Title III funds are being used to upgrade curricula, acquire appropriate instructional materials and educational software, and provide parent outreach and involvement activities.

Recommendation: One teacher in Lexington County School District One expressed concern about the inappropriate placement of LEP students in speech and language programs. The ED team recommends that the SCDOE review and reissue previous guidance related to appropriate assessment and placement of LEP students to ensure that LEP students are not placed in special education programs unless such placement is clearly needed.

Citation: Section 3115(d)

#### **Element 4.4 – Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth**

Reviewed: The SCDOE reserves funds as required, and makes awards to eligible entities based on the State’s definition of “significant increase.” The State provided documentation of the procedures it uses to award these funds.

Citation: Section 3115(e)

### **State Review of Local Plans**

#### **Element 5.1 – State Review of Local Plans**

Reviewed: The SCDOE requires eligible entities to submit local plans on an annual basis. The State conducts a comprehensive review of the local plans and provides technical assistance as needed. The process appears to be effective in ensuring that Title III subgrantees carry out the required activities and use funds effectively to meet the needs of LEP students.

Recommendation: The Title III Coordinator reviews all of the local plans submitted by eligible entities. The SCDOE may wish to consider using a consolidated LEA application for subgrants under Title I and Title III, and implementing a joint review process to ensure that services for LEP students are provided in a coordinated manner.

Citation: Section 3116

#### **Element 5.2 – Private School Participation**

Reviewed: Title III subgrantees demonstrated understanding of the requirement to provide services to LEP students and their teachers in non-public schools, and provided evidence of consultation with non-public school officials.

Citation: Section 9501

#### **Element 5.3 – Teacher English Fluency**

Reviewed: The State requires each eligible LEA to certify that all teachers of LEP students are fluent in English and any other language used for instruction. The State monitors LEAs to ensure compliance with this requirement.

Citation: Section 3116(c)

## **State Monitoring of Subgrantees**

### **Element 6.1 – State Monitoring of Subgrantees**

Reviewed: Both the SCDOE and Title III subgrantees provided documentation of the State's monitoring activities. The documentation provided to the team included monitoring reports and subgrantee responses to the reports.

Commendation: The team is impressed with the Title III Consultant's comprehensive monitoring of Title III subgrantees, including the emphasis on visiting classrooms to interact with teachers and to help improve instructional practices.

Citation: Sections 3113 and 34 CFR 80.40

## **Parental Notification**

### **Element 7.1– Parental Notification**

Reviewed: The SCDOE developed a parent notification letter, Parental Notification of Student Placement in the English for Speakers of Other Languages (ESOL) Program, used by subgrantees to meet the requirements of Section 3302. Title III subgrantees provided evidence that the letter is used to notify parents. The State monitors for compliance with this requirement.

Citation: Section 3302